IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 229 of 2007
Date of decision : 6.2.2007

Anil Kumar alias Dicky

.....Petitioners.

Versus

Radhey Sham & Anr.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Sandeep Jasuja,Advocate
for the petitioner.

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VINOD K. SHARMA,J.(ORAL)

By way of present revision petition the challenge is to the orders passed by the learned Rent Controller as confirmed by the learned appellate authority ordering the eviction of the petitioner on the ground of subletting and also on account of non-payment of rent.

The authorities below on appreciation of evidence have recorded a finding of fact that the demise premises was in fact rented out to Sh. Rajesh Kumar on a monthly rent of Rs. 900/-. This finding was based on the rent note produced on record. The stand of the petitioner that Rajesh Kumar never took possession of the premises was disbelieved in view of the specific pleading to the effect that the possession was surrendered by Sh. Rajesh Kumar.

The authorities below also found on appreciation of evidence that the stand of the petitioner did not inspire confidence as the statement made by him while appearing in the witness box was contrary to the pleadings regarding rate of rent.

The learned Rent Controller as well as the learned appellate

authorities have recorded the concurrent finding of fact that it was a case of subletting.

Therefore, the concurrent finding of fact does not call for interference by this Court in the revisional jurisdiction.

Dismissed.

6.2.2007 **(VINOD K. SHARMA)**
'sp' **JUDGE**